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Date: February 26, 2007		No. of pages including cover sheet: 3	
To: The Honorable Henry B. Pitman United States Magistrate Judge		Company: Daniel Patrick Moynihan United States Courthouse	
cc: All Counsel (by E-mail)			
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From: Joseph B. Tompkins, Jr.	Ext. 48213	Floor: 9th	

COMMENTS: In re Parmalat Securities Litigation 04 MD 1653 (LAK)

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February 26, 2007

By Facsimile

Honorable Henry B. Pitman
United States Magistrate Judge
United States District Court for the Southern District of New York
500 Pearl Street, Room 750
New York, New York 10007-1312

Re: In re Parmalat Securities Litigation, 04 MD 1653 (LAK) (S.D.N.Y.)

Dear Judge Pitman:

I write to respond on behalf of Bank of America to letters from a number of parties concerning the enforcement of the March 5, 2007 deadline for fact discovery in this multidistrict litigation.

Bank of America supports the positions of Deloitte and Grant Thornton with respect to the enforcement of the March 5, 2007 discovery deadline, subject to the limited exceptions noted herein.

In some limited circumstances, Bank of America has, by stipulation with other parties, agreed that certain depositions would occur after March 5, 2007. Specifically, Bank of America and Bondi have agreed that the depositions of Ms. Yoko Katagishi, Mr. Bruce McCormick (the Bank's 30(b)(6) representative on certain topics), Dr. Bala Dharan (Bondi's 30(b)(6) representative on certain topics), and Mr. Giovanni Ghiradelli and Mr. Carlos Siguin, both Parmalat Venezuela employees, will be scheduled by mid-March. See Feb. 22, 2007 letter from P. Calamari to J. Pitman. In addition, Bank of America has agreed with class counsel that the deposition of Mr. Trevor Kelly will be scheduled for March 9, 2007 in Australia. See Feb. 21, 2007 letter from D. Zilka to J. Pitman. These are limited exceptions, required by the exigencies of the schedules of the witnesses and, in the case of Mr. Kelly, a non-party witness, the required travel to Australia. Except with respect to these depositions, no other fact or 30(b)(6) depositions should occur after March 5, 2007 absent agreement among the parties.

We are available for a conference on this issue at Your Honor's convenience, if requested.



Honorable Henry B. Pitman
February 26, 2007
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Sincerely,

A handwritten signature in cursive script that reads "Joseph B. Tompkins, Jr." followed by a diagonal slash and the initials "EJB".

Joseph B. Tompkins, Jr.